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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,917	10/17/2003	Atsushi Ishii	SLA.1283	3962

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EXAMINER

MILORD, MARCEAU

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/689,917	Applicant(s) ISHII ET AL.	
	Examiner Marceau Milord	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaDue (US Patent No 6185198 B1) in view of Russell et al (US Patent No 6978939 B2).

Regarding claims 1-4, LaDue discloses a method of optical bi-direction communication (figs. 1-2) between mobile communication devices, wherein each mobile communication device has data storage locations, and wherein the mobile communication device includes an optical data capture mechanism (col. 9, lines 61- col. 10, line 43; col. 11, lines 40-65), comprising: rendering, in one mobile communication device, data in a computer readable form (col. 12, lines 36-67; col. 16, lines 1-35; col. 13, lines 11-60; col. 16, line 36-col. 17, line 51).

However, LaDue does not specifically disclose the steps of determining if the rendered data can be stored in a single data file; converting the rendered data to a graphic representation; and reading and storing the graphic representation with the optical capture mechanism of another

Art Unit: 2618

mobile communication device; wherein said storing includes: capturing the graphic representation; determining if the graphic representation is successfully captures; decoding the graphic representation; and storing the decoded graphic representation in the mobile communication device's data storage location.

On the other hand, Russell et al, from the same field of endeavor, discloses a method and apparatus for providing a portable imaging device configured to associate information from a business card with a digital picture image. The portable imaging device includes a casing having a business card receptacle configured to receive a business card. The portable electronic device also includes a digital camera portion and a scanner portion. The scanner portion is housed within the casing and configured to extract personal information from the business card received in the business card receptacle. The digital camera portion is coupled to the casing and is configured to digitally capture a picture image. The scanner portion and the digital camera portion are operatively coupled to memory storage. The memory storage is operable to save the picture image with the personal information to provide an association there between (col. 1, line 58- col. 2, line 6; col. 3, lines 1-25). Furthermore, the portable imaging device is configured to interconnect and electrically communicate with the PDA. Such a portable imaging device is configured to include a scanner portion and a digital cameral portion. The scanned image of the business card can then be transferred and viewed on the PDA. The digital camera portion is configured to digitally capture a picture image, which can also be viewed on the PDA. The user can save and maintain the scanned image linked with the picture image in the storage software to maintain an association between the scanned image and picture image. The scanned image and the picture image can then be readily retrievable from the storage software and viewable together

Art Unit: 2618

on the display of the PDA (figs. 4-6; col. 5, line 19-col. 6, line 30). The imaging capture head can be configured to provide the scanned image as information in the form of a graphical image or decodable with an optical character recognition process to be in the form of a text image. It is also contemplated that the text image can be integrated with the picture image so that the information from the text image overlies the picture image, thereby, being readily viewable together and saved together in a single file (col. 6, lines 31-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Russell to the communication system of LaDue in order to provide a portable imaging device configured to associate information from a card with a digital picture image.

Regarding claims 5-7, LaDue discloses a method of optical bi-direction communication (figs. 1-2) between mobile communication devices, wherein each mobile communication device has data storage locations, and wherein the mobile communication device includes an optical data capture mechanism (col. 9, lines 61- col. 10, line 43; col. 11, lines 40-65), comprising: rendering, in one mobile communication device, data in a computer readable form (col. 12, lines 36-67; col. 16, lines 1-35; col. 13, lines 11-60; col. 16, line 36-col. 17, line 51).

However, LaDue does not specifically disclose the steps of determining if the rendered data can be stored in a single data file; converting the rendered data to a graphic representation; reading the graphic representation with the optical capture mechanism in an other mobile communication device; capturing the graphic representation; determining if the graphic representation is successfully captured; decoding the graphic representation; and storing the decoded graphic representation in the mobile communication device's data storage location.

On the other hand, Russell et al, from the same field of endeavor, discloses a method and apparatus for providing a portable imaging device configured to associate information from a business card with a digital picture image. The portable imaging device includes a casing having a business card receptacle configured to receive a business card. The portable electronic device also includes a digital camera portion and a scanner portion. The scanner portion is housed within the casing and configured to extract personal information from the business card received in the business card receptacle. The digital camera portion is coupled to the casing and is configured to digitally capture a picture image. The scanner portion and the digital camera portion are operatively coupled to memory storage. The memory storage is operable to save the picture image with the personal information to provide an association there between (col. 1, line 58- col. 2, line 6; col. 3, lines 1-25). Furthermore, the portable imaging device is configured to interconnect and electrically communicate with the PDA. Such a portable imaging device is configured to include a scanner portion and a digital camera portion. The scanned image of the business card can then be transferred and viewed on the PDA. The digital camera portion is configured to digitally capture a picture image, which can also be viewed on the PDA. The user can save and maintain the scanned image linked with the picture image in the storage software to maintain an association between the scanned image and picture image. The scanned image and the picture image can then be readily retrievable from the storage software and viewable together on the display of the PDA (figs. 4-6; col. 5, line 19-col. 6, line 30). The imaging capture head can be configured to provide the scanned image as information in the form of a graphical image or decodable with an optical character recognition process to be in the form of a text image. It is also contemplated that the text image can be integrated with the picture image so that the

Art Unit: 2618

information from the text image overlies the picture image, thereby, being readily viewable together and saved together in a single file (col. 6, lines 31-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Russell to the communication system of LaDue in order to provide a portable imaging device configured to associate information from a card with a digital picture image.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Challa et al discloses a system, method, and apparatus for communicating information encoded in a bar code format between a mobile communication device and a bar code scanner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MARCEAU MILORD

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Primary Examiner
Art Unit 2618

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6-20-06